27. (New) The method of claim 20, wherein the agent is a peptide.

28. (New) The method of claim 20, wherein the agent is a peptidomimetic compound.

29. (New) The method of claim 20, wherein the agent is a nucleic acid.

30. (New) The method of claim 20, wherein the agent is a small molecule.

REMARKS

Claims 20-22 and 26 are pending in the subject application. Of the above claims, claims 22 and 26 were withdrawn from consideration by the Examiner. Applicants have canceled claims 21, 22 and 26 without prejudice. Applicants have also amended claim 20 and added new claims 27-30 in order to introduce certain format changes. Support for "human" ERAB polypeptide can be found in the specification at, *inter alia*, page 36, lines 14-21 and Figure 1D. New claims 27-30 correspond to canceled claim 21. Applicants maintain that these changes raise no issue of new matter. Upon entry of this Amendment, claims 20 and 27-30 will be pending and under examination.

Pursuant to the requirements of 37 C.F.R. 1.121(c)(1)(ii), applicants annex hereto as **Exhibit A** claim 20 marked up to show the changes made herein relative to the previous version of that claim. In view of the arguments set forth below, applicants maintain that

the Examiner's rejections made in the December 26, 2002 Final Office Action have been overcome, and respectfully request that the Examiner reconsider and withdraw same.

Rejection under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 20 and 21 under 35 U.S.C. §112, first paragraph, because those claims allegedly do not enable a person skilled in the relevant art to make and use the invention commensurate in scope with the claims without undue experimentation. In essence, the Examiner alleged that no structure for the "ERAB polypeptide" is known or recited other than that for human ERAB polypeptide (SEQ. ID. NO. 2).

In response, applicants respectively traverse the Examiner's rejection. Applicants note that amended claim 20 recites *human* ERAB polypeptide and maintain that the claim is enabled by the specification which teaches human ERAB polypeptide. Thus, applicants maintain that one skilled in the art could practice the instant methods based on the specification without undue experimentation.

Additionally, applicants maintain that claims 27-30, corresponding to canceled claim 21 and dependent on claim 20, are enabled for the same reasons.

In view of the above remarks, applicants maintain that claims 20 and 27-30 satisfy the requirements of 35 U.S.C. §112, first paragraph.

Rejection under 35 U.S.C. §112, Second Paragraph

The Examiner rejected claim 21 under 35 U.S.C. §112, second paragraph, as allegedly indefinite for using improper Markush language.

In response, applicants respectfully traverse the Examiner's rejection. Applicants note that new claims 27-30, which correspond to canceled claim 21, do not contain the Markush language that formed the basis for the Examiner's rejection. Accordingly, applicants maintain that new claims 27-30 satisfy the requirements of 35 U.S.C. §112, second paragraph.

Summary

In view of the remarks made herein, applicants maintain that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment. However, if any fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents,
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EXHIBIT A

Marked-Up Version of Claims

20. (Twice Amended) A method for evaluating the ability of an agent to inhibit binding of human ERAB polypeptide to amyloid-beta peptide which comprises:

(a) incubating human ERAB polypeptide, the agent and amyloid-beta peptide under suitable binding conditions;

(b) determining the amount of amyloid-beta peptide bound to human ERAB polypeptide from the incubate of (a); and

(c) comparing the amount of bound amyloid-beta peptide determined in step (b) with an amount of amyloid-beta peptide bound to human ERAB polypeptide determined in the absence of the agent, wherein when the amount of amyloid-beta peptide bound to human ERAB polypeptide is decreased in the presence of said agent, the ability of the agent to inhibit binding of human ERAB polypeptide to amyloid-beta peptide is determined.